

BOARD OF SUPERVISORS
COUNTY OF YORK
YORKTOWN, VIRGINIA

Resolution

At a regular meeting of the York County Board of Supervisors held in the Board Room, York Hall, Yorktown, Virginia, on the ____ day of ____, 2002:

Present

Vote

Donald E. Wiggins, Chairman
Walter C. Zaremba, Vice Chairman
Sheila S. Noll
James S. Burgett
Thomas G. Shepperd, Jr.

On motion of ____, which carried ____, the following resolution was adopted:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR
TO EXECUTE A LEASE TO THE INDUSTRIAL DEVELOPMENT AU-
THORITY OF YORK COUNTY OF REAL ESTATE TO BE ACQUIRED
BY THE COUNTY AND LOCATED IN YORKTOWN, VIRGINIA

WHEREAS, the County has executed an agreement dated January 18, 2002, for the purchase and sale of real estate, corporate stock, and restaurant assets, as purchaser, with the Jamestown-Yorktown Educational Trust, Ltd., and Nick's Seafood Pavilion, Incorporated ("the corporation") as sellers; and

WHEREAS, pursuant to the agreement, the County will purchase, among other things, a restaurant building currently housing the restaurant known as "Nick's Seafood Pavilion" and associated parking facilities located at 324 Water Street, Yorktown, Virginia, together with the corporate stock of the corporation, which currently operates a restaurant on the property pursuant to a lease agreement with the Jamestown-Yorktown Educational Trust; and

WHEREAS, under the agreement, the stock of the corporation will be conveyed to the Industrial Development Authority of York County (the IDA); and

WHEREAS, the County desires to lease the restaurant property to the IDA and permit the IDA to sublease the property to the corporation, and desires to authorize the County Administrator to negotiate and execute a suitable lease agreement;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the ____ day of _____, 2002, that the County Administrator be, and he is hereby, authorized to negotiate and execute on behalf of the County a lease agreement with the IDA for the real property identified above, such lease agreement to authorize the IDA to further sublease the property to Nick's Seafood Pavilion, Incorporated, for the operation of a restaurant, for an initial lease term not to exceed two years and month-to-month thereafter, for a rental amount not to exceed the rent to be paid to the IDA by Nick's Seafood Pavilion, Incorporated, under a sublease agreement, such lease agreement with the IDA to be approved as to form by the County Attorney.